

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

TERRY R. COCHRANE	)	3:11-cv-00092-LRH-WGC
	)	
Plaintiff,	)	<b><u>MINUTES OF PROCEEDINGS</u></b>
	)	
vs.	)	October 11, 2012
	)	
LAS VEGAS METROPOLITAN	)	
POLICE DEPARTMENT, <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: Katie Lynn Ogden REPORTER: FTR

COUNSEL FOR PLAINTIFF(S): Terry R. Cochrane, In Pro Per (Telephonically)

COUNSEL FOR DEFENDANT(S): Matthew Cavanaugh obo: Thomas Dillard (Telephonically)

**MINUTES OF PROCEEDINGS: Motion Hearing**

9:31 Court Adjourns.

The court reviews the status of plaintiff's Motion to Renew Dkt. #52 Motion to Compel (Dkt. #87). Mr. Cavanaugh indicates that this hearing is to address five particular discovery requests plaintiff identified in a letter sent to defendants dated June 26, 2012 (Dkt. #91, Exhibit A). Mr. Cavanaugh states it is the defendants' position that the requests have been timely responded to and that all relevant documentation in defendants' possession have been provided to plaintiff. Mr. Cochrane objects and asserts there is documentation to still be produced. The court will address plaintiff's five discovery requests, which are in dispute, individually.

**I. Plaintiff's Request for Production No. 1 - No. 5 (Dkt. #91, Exhibit A)**

After hearing argument, and good cause appearing, Plaintiff's Motion to Renew Dkt. #52 Motion to Compel (Dkt. #87) is **GRANTED IN PART and DENIED PART** as follows:

**A. Request for Production No. 1**

Based on the defendants' representation that all grievances submitted by Mr. Cochrane between the end of June and July 23, 2010, have been produced and that there are no further

## **MINUTES OF THE COURT**

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grievances during that time period, plaintiff's request is DENIED. The court, however, requests that defense counsel review defendants' records because, without having bate stamps and/or an index, it is quite difficult for the court to verify defendants' representation.

### **B. Request for Production No. 2**

The defendants represent that they have produced what plaintiff has requested in this category. The court follows the same ruling as in Request for Production No. 1 and will DENY Request for Production No. 2; however, defense counsel shall, again, review defendants' records to make certain that this request was fully addressed and that no further grievances are applicable to this request.

### **C. Request for Production No. 3**

Reviewing defendants' responses to plaintiff's requests for production and the representation that defendants have produced all documents requested by plaintiff, the court nevertheless directs defendants to submit a supplemental Rule 26 production. The supplemental Rule 26 production shall include all grievances during the time period of January 21, 2010, through August 24, 2010, in chronological order and bate stamped. Additionally, property receipts shall be included with defendants' responses. Defendants shall have up to and including **Friday, October 26, 2012**, to serve the supplemental response. Therefore, to the extent that defendants are to submit a supplemental Rule 26 production, plaintiff's Request for Production No. 3 is GRANTED.

### **D. Request for Production No. 4**

Plaintiff acknowledges that defendants did produce the Standard Operations Procedure as requested; however, at the time plaintiff did not have funds available to make copies for himself and, for that reason, plaintiff requests that the documents be produced again. Mr. Cavanaugh represents that defendants will again produce the documents requested with respect to the Standard Operations Procedure. Therefore, plaintiff's Request for Production No. 4 is GRANTED and defendants are directed to produce the documents to plaintiff.

### **E. Request for Production No. 5**

This request shall be addressed in defendants' forthcoming supplemental response to plaintiff's request for production of documents. To the extent that defendants are to submit a supplemental response, plaintiff's Request for Production No. 5 is GRANTED.

By: /s/  
Katie Lynn Ogden, Deputy Clerk